

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

7500 BLDG, LLC,

Plaintiff,

v.

PENTAIR, INC., *et al.*,

Defendants.

Case No. C13-0605RSL

ORDER TO SHOW CAUSE

This matter comes before the Court *sua sponte*. On April 4, 2013, plaintiff filed its complaint with this Court alleging that the Court has jurisdiction based on the diversity of citizenship of the parties. See 28 U.S.C. § 1332(a) (establishing that the federal court’s basic diversity jurisdiction extends to “all civil actions where the matter in controversy exceeds . . . \$75,000 . . . and is between . . . citizens of different States.”). “For a case to qualify for federal jurisdiction under 28 U.S.C. § 1332(a), there must be complete diversity of citizenship between the parties opposed in interest.” Kuntz v. Lamar Corp., 385 F.3d 1177, 1181 (9th Cir. 2004) (internal citation omitted). In examining whether complete diversity is present, the citizenship of a limited liability company is determined by examining the citizenship of the owners/members. See Johnson v. Columbia Props. Anchorage, LP, 437 F.3d 894, 899 (9th Cir. 2006) (holding that “like a partnership, an

1 LLC is a citizen of every state of which its owners/members are citizens.”).

2 In its complaint, however, plaintiff failed to allege the citizenship of each
3 owner/member of the LLC parties. Therefore, plaintiff has failed to meet its burden to
4 establish the basis of the Court’s jurisdiction. See Indus. Tectonics, Inc. v. Aero Alloy,
5 912 F.2d 1090, 1092 (9th Cir. 1990) (“The party asserting jurisdiction has the burden of
6 proving all jurisdictional facts”); Fed R. Civ. P. 12(h)(3) (“If the Court determines at any
7 time that it lacks subject-matter jurisdiction, the court must dismiss the action”). As a
8 result, plaintiff is ORDERED TO SHOW CAUSE why the Court should not dismiss this
9 action for lack of subject matter jurisdiction under Fed. R. Civ. P. 12(h)(3) by providing
10 the Court with the citizenship of all of the owners/members of 7500 Bldg, LLC, and Sta-
11 Rite Industries, LLC, at the time the complaint was filed, by April 18, 2013. The Clerk of
12 the Court is directed to place this order to show cause on the Court’s calendar for April
13 19, 2013.

14 Dated this 8th day of April, 2013.

15 
16

17 Robert S. Lasnik
18 United States District Judge
19
20
21
22
23
24
25